

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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| 4 James E. Bates, | Case No.: 2:22-cv-00957-CDS-EJY |
| 5 v. | Order Adopting the Magistrate Judge's |
| 6 | Report and Recommendation |
| 7 Las Vegas Metropolitan Police Department, et | [ECF No. 61] |
| 8 al., | Defendants |

10 Plaintiff James Bates brings this action alleging civil rights violations against defendant
11 Las Vegas Metropolitan Police Department and several officers. In August, Magistrate Judge
12 Elayna J. Youchah issued an order that: (1) granted in part Bates' motion for leave to amend; (2)
13 permitted Bates' second amended complaint, as pleaded, to proceed against defendants Perry,
14 O'Halloran, Ivie, and Faller; (3) instructed Bates to re-name and file the second amendment
15 complaint as the third amended complaint; and (4) directed counsel for defendants Perry and
16 O'Halloran to confirm whether they would accept service for defendants Ivie and or Faller, as
17 well as a scheduling order if they would accept service. Order, ECF No. 61 at 10-11. That order
18 included a report and recommendation wherein Judge Youchah recommends that I deny Bates'
19 motion for leave to amend (ECF No. 53) with respect to the claims asserted against Las Vegas
20 Metropolitan Police Department as barred by NRS § 41.036(2). *Id.* at 11.

21 Bates had until September 3, 2024, to file any objections to the R&R. *Id.* at 11 (citing LR
22 IB 3-2 (stating that parties wishing to object to an R&R must file objections within fourteen
23 days). As of the date of this order, Bates has neither objected to the R&R nor requested more
24 time to do so.

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[N]o review is required of a magistrate judge's report and recommendation unless objections are filed." *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). I nonetheless considered Judge Youchah's recommendation, her order, and the docket in this matter when deciding whether to adopt her findings and recommendations here; and I do.

Conclusion

7 It is therefore ordered that the magistrate judge's report and recommendation [ECF No.
8 61] is accepted and adopted in its entirety. Bates' motion to amend his claims asserted against
9 the Las Vegas Metropolitan Police Department [ECF No. 53] is denied.

10 Dated: September 9, 2024

Cristina D. Silva
United States District Judge